Rule 126 -- ~~14~~15. A method of treating chronic inflammation in a patient in need thereof, comprising administering to the patient an effective amount of erythropoietin, an erythropoietin derivative, erythropoietin mutant or fragments thereof.

Sub D1

~~15~~16. The method of claim ~~15~~, wherein the inflammation is associated with an immune disease.

~~16~~17. The method of claim ~~16~~, wherein the immune disease is an auto-immune disease.

~~17~~18. The method of claim ~~17~~, wherein the auto-immune disease is rheumatoid arthritis.

Sub D2

~~18~~19. A method of treating symptoms associated with rheumatoid arthritis in a patient in need thereof, comprising administering to the patient an effective amount of erythropoietin, an erythropoietin derivative, erythropoietin mutant or fragments thereof.

~~19~~20. The method of claim ~~19~~, wherein the symptoms treated comprise at least one of the group of morning stiffness, painful and swollen joints, and loss of grip strength and pain.

20 21. A method of ameliorating a disease activity of rheumatoid arthritis in a patient in need thereof, comprising administering to the patient an effective amount of erythropoietin, an erythropoietin derivative, erythropoietin mutant or fragments thereof.

sub D3

21 22. The method of claim 15, wherein the erythropoietin is human erythropoietin.

14

22 23. The method of claim 15, wherein the erythropoietin, erythropoietin derivative, erythropoietin mutant, or fragments thereof, is of recombinant origin.

sub D4

23 24. The method of claim 19, wherein the erythropoietin is human erythropoietin.

18

sub D5

24 25. The method of claim 19, wherein the erythropoietin, erythropoietin derivative, erythropoietin mutant, or fragments thereof, is of recombinant origin.

25 26. The method of claim 21, wherein the erythropoietin is human erythropoietin.

20

26 27. The method of claim 21, wherein the erythropoietin, erythropoietin derivative, erythropoietin mutant, or fragments thereof, is of recombinant origin.

sub D6

28. The method of claim 15, wherein the erythropoietin derivative, erythropoietin mutant, or fragments thereof, is a non-immunogenic erythropoietin fragment or non-human truncated form of erythropoietin, having an ameliorating effect on chronic inflammations.

29. The method of claim 19, wherein the erythropoietin derivative, erythropoietin mutant, or fragments thereof, is a non-immunogenic erythropoietin fragment or non-human truncated form of erythropoietin, having an ameliorating effect on chronic inflammations.

30. The method of claim 21, wherein the erythropoietin derivative, erythropoietin mutant, or fragments thereof, is a non-immunogenic erythropoietin fragment or non-human truncated form of erythropoietin, having an ameliorating effect on chronic inflammations. --

REMARKS

The above amendment is made to convert the "use" claims into methods of using erythropoietin, erythropoietin derivatives, erythropoietin mutants, or fragments thereof, in order to claim statutory subject matters of the present invention. Supports for the amendment are found in pages 3-13 of the specification. Specifically supports for claims 28-30 can be found in page 3, the fourth paragraph.